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**From:** Moncavage, Carissa [Moncavage.Carissa@epa.gov]  
**Sent:** 12/14/2015 9:00:28 PM  
**To:** Roushey, Jennifer S. (DNREC) [Jennifer.Roushey@state.de.us]  
**CC:** bryan.ashby@state.de.us; Trulear, Brian [Trulear.Brian@epa.gov]; Walker, Dana [Walker.Dana@epa.gov]  
**Subject:** Port Penn WWTP (DE0021539)

Hi Jenn,

EPA received a pre-public notice draft for:

**Port Penn Wastewater Treatment Plant**

**NPDES Number: DE0021539**

**EPA Received: November 13, 2015**

This is a minor permit that discharges to zone 5 of the Delaware estuary and is affected by the Delaware River PCB TMDL. I have completed my review of the pre-notice draft and offer the following comment:

The draft permit proposes a monitoring frequency of one sample per year for PCB. It also includes a special condition that allows the permittee to submit a request for reduced monitoring after a successful completion of one year of PCB congener testing. The Delaware River PCB TMDL allows for a BMP approach to be utilized in permits in lieu of a waste load allocation in order to achieve reductions in PCB concentrations. Therefore, the development and implementation of the pollution minimization plan (PMP) allows the permittee to monitor PCB levels and document any reductions resulting from the PMP activities. It is through monitoring and reporting that the facility shows they are meeting the assumptions and requirements of the TMDL as required by 40 CFR 122.44 (d)(1)(vii)(B). We do not believe that a reduction in monitoring to less than once per year is appropriate. According to 122.44(i)(2), requirements to report monitoring results shall be established on a case-by-case basis with a frequency dependent on the nature and effect of the discharge, but in no case less than once a year. At a minimum, the fact sheet needs to provide justification for including a special condition that allows the permittee to request reduced monitoring, especially considering that the permittee has not yet developed a PMP. The permit requires the development of a PMP within the first 180 days after permit effective date. Additionally, the fact sheet should also provide an explanation as to how DNREC will make the determination for reduced monitoring - it is unclear what frequency of monitoring DNREC might deem appropriate and representative of the discharge. How will DNREC define "successful" completion of testing?

Feel free to contact me with any questions or concerns.

Regards,

**Carissa Moncavage**

Water Protection Division

U.S. EPA Region 3

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